

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**HAILO TECHNOLOGIES, LLC,**

**Plaintiff,**

**v.**

**ARRO, INC. and CREATIVE MOBILE  
TECHNOLOGIES, LLC,**

**Defendant.**

**Case No. 1:17-cv-4902-RWS**

**JURY TRIAL DEMANDED**

**JOINT NOTICE OF WRITTEN STATUS REPORT**

Pursuant to this Court’s September 15, 2017 Memo Endorsement Granting Motion to Stay, Plaintiff Hailo Technologies, LLC, and Defendants Arro, Inc. (“Arro”) and Creative Mobile Technologies, LLC (“CMT”) (collectively, the “Parties”), hereby jointly submit this Written Status Report. (*See* Dkt. # 58).

On August 30, 2017, Plaintiff Hailo Technologies submitted a Request for Supplemental Examination to the United States Patent and Trademark Office (“USPTO”) identifying eleven (11) items of information for the USPTO’s consideration. The USPTO subsequently provided notice to the patent owner by way of his counsel of record, Cotman IP Law Group, PLC, identifying the assignment of a filing date of October 5, 2017 and Control No. 96/000,234.

On November 9, 2017, the USPTO mailed to the patent owner a Supplemental Examination Certificate and Reasons for Substantial New Question of Patentability Determination. The Supplemental Examination Certificate stated that a substantial new question of patentability affecting at least one claim of U.S. Patent No. 6,756,913 (“the ‘913 Patent”) was raised by the Request. Accordingly, as of the issuance of the Supplemental Examination Certificate, the Supplemental Examination proceeding is deemed concluded. MPEP § 2806.

Because a substantial new question of patentability was raised in the Supplemental Examination, *ex parte* reexamination has been ordered pursuant to 35 U.S.C. § 257. As of the filing of this Written Status Report, an order for *ex parte* reexamination has not yet issued.

Pursuant to the Court's September 15, 2017 Order, the Court granted a stay of all deadlines until the USPTO reached its conclusion following the institution of the Request for Supplemental Examination. The purpose of the Supplemental Examination was to determine whether or not there was a substantial new question of patentability. The USPTO determined that there was a substantial new question, and has ordered an *ex parte* reexamination. Accordingly, the USPTO proceedings have not reached their completion, and thus the Parties request that the Stay should remain in place until the *ex parte* reexamination is concluded.

DATED: December 13, 2017

Respectfully submitted,

/s/ Todd Y. Brandt

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***Attorneys for Defendants Arro, Inc. and  
Creative Mobile Technologies, LLC***

**CERTIFICATE OF SERVICE**

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 13th day of December, 2017, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Todd Y. Brandt

Todd Y. Brandt